

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	Chapter 13
	:	
SUSAN M. BOLTZ-RUBINSTEIN,	:	
	:	Bky. No. 10-16541 ELF
Debtor.	:	
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	:	
SUSAN M. BOLTZ-RUBINSTEIN,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
BAC HOME LOANS SERVICING/BANK OF	:	
AMERICA, N.A. AND	:	
NATIONAL RESIDENTIAL ASSETS CORP.	:	Adv. No. 16-265
	:	
Defendants.	:	
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	:	
SUSAN M. BOLTZ-RUBINSTEIN,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
BANK OF AMERICA, N.A.,	:	
UNITED GUARANTY RESIDENTIAL	:	
INSURANCE COMPANY OF NORTH	:	
CAROLINA,	:	
AIG	:	Adv. No. 16-362
	:	
Defendants.	:	
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ORDER

AND NOW, upon consideration of Bank of America's Motion to Dismiss Adversary Proceeding 16-265 ("the Bank of America Motion") and United Guaranty's Motion to Dismiss Adversary 16-362 ("the United Guaranty Motion"), and for the reasons set forth in the accompanying Memorandum:

It is hereby **ORDERED** that:

1. In Adv. No. 16-265, the Bank of America Motion is **GRANTED IN PART and**

DENIED IN PART:

- a. The Bank of America Motion is **DENIED** as to Count IV, the Debtor's claim under 11 U.S.C. §362(k).
 - b. The Bank of America Motion is **GRANTED** as to all other claims, including all claims against National Residential Assets Corp.
 - c. Count I of the Complaint is **DISMISSED WITHOUT LEAVE TO AMEND**.
 - d. Counts II and II of the Complaint are **DISMISSED FOR LACK OF SUBJECT MATTER JURISDICTION**.
2. In Adv. No. 16-362, the United Guaranty Motion is **GRANTED** and
 - a. Counts I, II and III are **DISMISSED WITHOUT LEAVE TO AMEND**.
 - b. Counts IV and V are **DISMISSED FOR LACK OF SUBJECT MATTER JURISDICTION**.
3. In Adv. No. 16-265, Bank of America shall file an Answer to the Amended Complaint **on or before October 10, 2017**.

Date: September 18, 2017



ERIC L. FRANK
CHIEF U.S. BANKRUPTCY JUDGE